

Number: WG31135



Welsh Government Consultation Document

Independent Professional Advocacy-

National Standards and Outcomes Framework for Children and
Young People in Wales

Date of issue: 31 March 2017

Action required: Responses by 23 June 2017

Mae'r ddogfen yma hefyd ar gael yn Gymraeg.
This document is also available in Welsh.

Overview

This consultation seeks your views on the National Independent Advocacy Standards and Outcomes Framework for Children and Young People in Wales which replaces the National Standards for the provision of Children's Advocacy Services (2003). It is a framework by which advocacy service providers and those commissioning them can be sure those standards are being achieved, enabling them to evidence they are making a positive difference to children and young people's lives

How to respond

You can respond to this consultation by completing the consultation response form at the back of this document and returning it to us by post to:

Ruth Akers, Safeguarding and Advocacy Branch,
Social Services and Integration Directorate, Welsh
Government, Rhodfa Padarn, Aberystwyth,
Ceredigion, SY23 3UR.

Further information and related documents

Large print, Braille and alternative language versions of this document are available on request

Insert any references to the internet, documents or information which might be useful to consultees e.g. consultation web address, detailed appendix to consultation

Reference documents which are referred to can be accessed via the following hyperlinks:

[Social Services and Well-being \(Wales\) Act 2014 Part 10 Code of Practice \(Advocacy\)](#)

[Part 6 of the Social Services and Well-being \(Wales\) Act 2014](#)

[United Nations Convention on the Rights of the Child \(UNCRC\)](#)

[Rights of Children and Young Person's \(Wales\) Measure 2011](#)

[Regulation and Inspection of Social Care Act 2016](#)

Contact details

For further information:

Post: Ruth Akers, Safeguarding and Advocacy Branch, Social Services and Integration Directorate, Welsh Government, Rhodfa Padarn, Aberystwyth, Ceredigion, SY23 3UR.

Email: takingsocialcareforward@wales.gsi.gov.uk

Telephone: 0300 0262436

Data protection

How the views and information you give us will be used

Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about. It may also be seen by other Welsh Government staff to help them plan future consultations.

The Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. This helps to show that the consultation was carried out properly. If you do not want your name or address published, please tell us this in writing when you send your response. We will then blank them out.

Names or addresses we blank out might still get published later, though we do not think this would happen very often. The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 allow the public to ask to see information held by many public bodies, including the Welsh Government. This includes information which has not been published. However, the law also allows us to withhold information in some circumstances. If anyone asks to see information we have withheld, we will have to decide whether to release it or not. If someone has asked for their name and address not to be published, that is an important fact we would take into account. However, there might sometimes be important reasons why we would have to reveal someone's name and address, even though they have asked for them not to be published. We would get in touch with the person and ask their views before we finally decided to reveal the information.

Consultation

The Social Services and Well-being (Wales) Act 2014 ('the 2014 Act') came into force on 6 April 2016. Part 10 of the Act includes duties relating to advocacy. The dedicated code of practice on advocacy under Part 10 sets out how advocacy could support the determination and delivery of an individual's personal outcomes, together with the circumstances when a local authority must arrange an independent professional advocate. Chapter 3 of Part 10 of the Act relates to advocacy for children and adults.

Section 174 of the 2014 Act also requires local authorities to provide advocacy in respect of representation or complaints by a child in relation to services received either as a looked after child or a child in need of care and support. A "looked after child" is a child who is either in the care of a local authority or is provided with accommodation under a local authority's functions under part 6 of the 2014 Act.

Commissioners of independent professional advocacy services under Section 174 need a consistent framework to measure the quality as well as the quantity of their work and be assured they are making a positive difference to children and young people's lives. As a result Ministers invited local government in Wales to bring forward a model for securing a national approach to statutory independent professional advocacy for looked after children, children in need of care and support and other specified individuals.

A Senior Leadership Group, which included the Children's Commissioner for Wales, was established to oversee the development of the National Approach. The group completed its work having identified (and developed) the following key components:

- **National Standards and Outcomes Framework** including an approach to the 'active offer' of advocacy identified in 'Missing Voices' and a mapping of the National Standards and Outcomes Framework to the Well-being Statement that underpins the 2014 Act.
- **National Approach - Regional Service Specification** providing consistent specifications for commissioning of services.
- **National Approach - Regional Performance Reporting Template** delivering the evidence and statistics identified within the National Standards and Outcomes Framework for service quality and performance monitoring purposes.
- **A Range and Level Assessment Mechanism (Service Capacity)** which assists with gauging service capacity requirements and associated costs.

This consultation seeks your view on the National Independent Advocacy Standards and Outcomes Framework for Children and Young People in Wales ('the Framework').

A young person friendly version of the Framework has also been produced.

Where are we now?

The Association of Directors of Social Services Cymru and the Welsh Local Government Association are in the process of taking forward the National Approach through an implementation plan agreed by all local authorities. This consultation only relates to the

Standards and Outcomes Framework within the national approach which the Welsh Government is leading on.

The Framework intends to:

- replace the National Standards for the provision of Children's Advocacy Services (2003) and identifies the outcomes children and young people can expect in relation to children and young people's advocacy.
- ensure that advocacy service providers and those commissioning them can be sure those standards are being achieved, enabling them to evidence they are making a positive difference to children and young people's lives.
- link the standards to the overarching Well-being Statement under the 2014 Act and demonstrate how local authorities can evidence how children and young people will be supported to achieve their well-being outcomes through accessing advocacy.
- provide children with care and support needs who access advocacy services with information about what they are entitled to, and how they can be involved in developing and evaluating the services.

The Framework relates to children in receipt of statutory services under the 2014 Act. There is parallel work underway on the requirements for independent professional advocacy services under the Regulation and Inspection of Social Care (Wales) Act 2016 ('the 2016 Act') which will apply to children **and** adults in Wales. These two pieces of work must be closely aligned to avoid any confusion for commissioners and providers.

A Technical Group will be convened over the Spring/Summer to advise Ministers how best to do this. We will be mindful of the need to ensure that both activities are co-ordinated to produce a coherent and substantial set of outcomes and standards for advocacy services for children in receipt of statutory advocacy provision through the national approach, and a set of requirements against which independent professional advocacy services can be regulated under the 2016 Act.

The Technical Group will advise on:

- a) up-dating the Part 10 Code of Practice on advocacy under the 2014 Act to take account of the National Approach to Advocacy for Children. This will require the inclusion of the Standards and Outcomes Framework in full to meet earlier commitments; and
- b) Defining Independent Professional Advocacy and identifying the relevant standards for the regulated advocacy service under the 2016 Act.

The Technical Group will take account of this consultation and the responses received in developing its advice.

When the Technical Group has concluded its work we intend to lay a revised Part 10 Code of Practice on advocacy before the National Assembly for Wales later this year, whilst we develop the definition of Independent Professional Advocacy within regulations under the 2016 Act.

INDEPENDENT PROFESSIONAL ADVOCACY-
NATIONAL STANDARDS AND OUTCOMES FRAMEWORK FOR CHILDREN
AND YOUNG PEOPLE IN WALES

**Consultation
Response Form**

Your name:

Organisation (if applicable):

email / telephone number:

Your address:

1. Will this framework help advocacy providers and advocacy commissioners ensure the consistent quality of their service across Wales?

Yes ☐

No ☐

Unsure ☐

Please comment:

2. Will this framework help deliver a clear understanding of what can be expected of independent professional advocacy services for children and young people who use them, thereby making a positive difference to their lives?

Yes ☐

No ☐

Unsure ☐

Please comment:

3. Will this framework help those who commission independent professional advocacy services to ensure the quality of their commissioning arrangements and provide a means of evidencing high quality and effective advocacy provision?

Yes

☐

No

☐

Unsure

☐

If no please specify:

4. Do you think the active offer of independent professional advocacy support will ensure children and young people are well informed about the availability of advocacy and better placed to access it when they need to?

Please specify:

5. Do you think this framework will help ensure the active offer of advocacy is delivered consistently and coherently across Wales?

Yes

☐

No

☐

Unsure

☐

Please specify:

6. The Welsh Government is interested in understanding whether the proposals in this consultation document will have an impact on groups with protected characteristics. Protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex, and sexual orientation. Do you think that the proposals in this consultation will have any positive impacts on groups with protected characteristics? If so, which and why/why not?

Yes ☐

No ☐

Please specify:

7. We would like to know your views on the effects that the guidance would have on the Welsh language, specifically on

- i) opportunities for people to use Welsh; and
- ii) on treating the Welsh language no less favourably than English.

What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

Please specify:

8. We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to tell us about them

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here:

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